

have to talk about the dangers of forgetting. We have to talk about the dangers of forgetting, because 7 years later our obligations have not gone away.

Our obligations have not gone away to those whom we lost, and to their families and those who survived the attacks but came away injured. For them, it has been a long and heroic struggle to get by and find some sense of normalcy. People who ran out of burning buildings, the firefighters, EMTs, and other rescue workers who ran in, all breathed thick air as they were saving lives. Today, they are reminded of what they have to face with literally every breath they take. We think about them very deeply today, but those heroes triumph every day. Their supply of courage has never run out, and we can never walk out on them.

So not forgetting means caring for those whom we lost, and their families, and remembering them. But it also means caring for those who were made ill because of the attacks. Not forgetting means supporting all the heroes, paid and volunteer, who risked their lives to save others. Not forgetting means securing our ports, chemical and nuclear plants, so we don't have to experience another horrendous tragedy in the future, getting Federal grant money to our communities based on the risks they face, getting firefighters the funding they need for new equipment and increased personnel, and making sure our first responders can talk to each other during an emergency. And let's be very clear: Not forgetting means destroying the terrorist network that planned the attacks and bringing those responsible to justice.

Today, September 11 of 2008, we remember what has been lost, and we find strength in what we still have. No amount of time can ultimately heal what has been seared into our hearts and minds since September 11, 2001. But those wounds continue to drive us to make sure that no New Jerseyan, no American ever has to experience them again. If we come together now, as we did on one of the darkest days of our history, then I believe our future can be filled with security, prosperity, and hope. On this day in which we remember that darkest day, we can see the light and our brightest days are yet to come.

Once again, my thoughts and prayers go out to the 700 New Jerseyans who were lost on that fateful day, for their families who live with this for the rest of their lives and for which this day has an incredible resonance in their lives far beyond what anyone can imagine. But for votes here in the Senate, I would be in New Jersey today, and I wanted to take to the floor to let them know that we are one with them on this most sacred day.

#### CONCLUSION OF MORNING BUSINESS

Mr. NELSON of Nebraska. Mr. President, I ask unanimous consent that all

time for morning business be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered. Morning business is closed.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 3001, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 3001) to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities for the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Reid amendment No. 5290, to change the enactment date.

Reid amendment No. 5291 (to amendment No. 5290), of a perfecting nature.

Motion to recommit the bill to the Committee on Armed Services with instructions to report back forthwith, with Reid amendment No. 5292 (to the instructions of the motion to recommit), to change the enactment date.

Reid amendment No. 5293 (to the instructions of the motion to recommit the bill), of a perfecting nature.

Reid amendment No. 5294 (to amendment No. 5293), of a perfecting nature.

Mr. NELSON of Nebraska. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Nebraska. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

Mr. NELSON of Nebraska. Mr. President, I ask unanimous consent that the previous order with respect to the prohibition on a motion to proceed remain in effect during today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Nebraska. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we had an announcement yesterday by the Secretary of Defense on the procurement question for the tanker for the U.S. Air Force that is very disturbing and disappointing to me. Basically, the history of that was that the Secretary and the U.S. Air Force had evaluated the two competing bids and had selected the Northrop team's bid as the best aircraft and best buy for the country.

The GAO, Government Accountability Office, reviewed that and said the Air Force had made errors. I did not think great errors, but they said there were errors and they ought to review the process. The Secretary of Defense said he, in effect, was disappointed those errors had occurred and he personally would take the process under the Department of Defense's jurisdiction and he would direct individuals to evaluate the two bids and to make a decision on what the best aircraft would be and the best buy for the American warfighter.

Remember that the Air Force had declared that replacing the 50-, 60-year-old tanker fleet was their No. 1 priority in the entire U.S. Air Force. For those of us who know about the Air Force and know how much they like fighters and those kinds of aircraft, for them to say that was a significant thing. So we were proceeding along that path. Secretary Gates said he was going to do it fairly and objectively, and he would do his best to complete the process by the end of the year. So his announcement yesterday that they could not complete it at the end of the year, that there has been controversy about this, and that he would, therefore, put it off and cancel the bid process and let the next Congress and next President deal with it was a bad mistake. It was contrary to what he had said in the country needed to be done a few months ago.

I think this is a matter he made a mistake on. I respect Secretary Gates. I was pleased when he stood up and said: We need this tanker. We need to get this done. We are going to get it done. I am personally going to be responsible to ensure it is done right and fair. Then, to walk away from that, and to leave the impression the reason that occurred was because of a political brouhaha going on, and Members of Congress fussing here and there and making comments was doubly disturbing.

My view has always been the Department of Defense ought to pick the best aircraft, and I thought they had when they chose the plane they did. I will note the aircraft Northrop Grumman/EADS had offered was 16 years newer than the aircraft Boeing had submitted, it would have much more capabilities, and was a better aircraft. That is what it was, and that is how it was selected. The Northrop team submitted a very frugal bid, and even though it was an aircraft that had more capabilities, it was very competitive or lower on price. So I thought we were heading in the right direction.

I will note for the record I was involved in this early on. When Senator McCain questioned a lease agreement that was entered into with the Boeing company, he felt something was not healthy there and he objected. It was going to release 60 of these aircraft. They had not been bid. It was a sole-source contract. It did not go through the Armed Services Committee. But it was actually done through the Appropriations Committee without the